

**TITLE:** Post Permit Monitoring Efforts 1C

**DATE:** 06/15/2015

**PROJECT:** Construction Package No. 1

**CONTRACT NO:** HSR 13-06

**CONTRACTOR:** Attn: Jim Laing  
 Tutor Perini/Zachry/Parsons, a Joint Venture  
 1401 Fulton Street  
 Suite 400  
 Fresno, CA 93721

**DESCRIPTION OF CHANGE:**

Extra Work at Time and Materials

The Contractor shall satisfy all new requirements set forth in the California Department of Fish and Wildlife (CDFW) Incidental Take Permit and Master Streambed Alteration Agreement executed post-award, for the limits of the Fresno to Bakersfield EIR/EIS.

This Change Order is for post permit biological services performed by the subcontractor ESA from when the permits are issued through December 31, 2015 which includes, but not limited to, CDFW subnotification, ITP monthly and annual reporting, and required document revisions due to the new measures.

The Contractor shall perform all work in accordance with the Contract, the final EIR, and the executed Governmental permits. This Change Order does not include work required by executed Governmental permits prior to award.

This Change Order is for post permit biological services performed by the subcontractor ESA which includes, but not limited to, CDFW subnotification, ITP monthly and annual reporting, and required document revisions due to new measures.

This work shall be done as Time and Material in accordance with HSR 13-06 Book 2, Section 17.9 "Time and Materials Change Orders" for an estimated cost of \$100,000.00.





In accordance with Section 17.9.2.2 "Daily Reports," of the General Provisions, daily reports for these services shall be submitted to the Authority's Environmental Oversight Manager for review and approval within five (5) calendar days after the work has occurred. Daily reports submitted after five (5) calendar days will be ineligible for payment. The Contractor's Daily Reports will be reviewed by the Authority's Oversight Environmental Manager within five (5) calendar days after being received from the Contractor.

There will be no adjustment of time as this work does not affect the controlling operation.

PCO	Payment Item	Description	Quantity	Units	Unit Price	Net Amount	Time Adj. (Days)
079	00001	Post Permit Biological Monitoring (Time and Materials)	1.0	LS	\$100,000.00	\$100,000.00	0
<b>Total:</b>						<b>\$100,000.00</b>	<b>0</b>

**ATTACHMENTS:**

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Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by
			

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**Release of Claims**

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

**Contractor's Sworn Certification**

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.

The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.

**Subcontractor's Sworn Certification(s):**

Attached as \_\_\_\_\_ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

**Tutor Perini/Zachry/Parsons, a Joint Venture**

Acceptance by

Signature

Jim Laing - Project Manager/Director

Date

6/25/15

**California High-Speed Rail Authority**

Submitted by

Signature

John C. Lee - D-B Oversight Manager

Date

7-1-15

Recommended by

Signature

Hugo Mejia - Design &amp; Construction Manager

Date

7/1/15

Approval by

Signature

 Mike Leonardo  
 Ofelia P. Alcantara, P.E. - Director of Design &  
 Construction

Date

7/21/15

Initials Acknowledging Page 2 of 2

Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by